

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TORIANO GERMAINE HUDSON,

Plaintiff,

v.

DIAZ, et al.,

Defendants.

Case No. [15-cv-00787-SI](#)

ORDER STRIKING PLEADING

Re: Dkt. No. 62

On April 19, 2016, the court determined that, liberally construed, the second amended complaint stated a cognizable excessive force claim against several Richmond Police Department officers but did not state a claim against the Richmond Police Department, and set a briefing schedule for motions for summary judgment. (Docket No. 57.) In an order filed June 2, 2016, the court reset the deadlines for the motions for summary judgment so that defendants' motion for summary judgment is now due on September 9, 2016. (Docket No. 61.) Thereafter, plaintiff filed a "complaint for damages" on June 29, 2016, which again describes the events alleged in earlier pleadings. (Docket No. 62.) Plaintiff did not move for leave to amend, nor did he explain why yet another amendment was necessary or should be permitted in this case which is now more than eighteen months old and in which plaintiff has repeatedly amended his pleading. The unpermitted and unnecessary complaint for damages filed on June 29, 2016 (Docket No. 62) is STRICKEN. The operative pleading remains the second amended complaint (Docket No. 47). The briefing schedule set in the order filed June 2, 2016 remains in place.

IT IS SO ORDERED.

Dated: July 29, 2016



SUSAN ILLSTON
United States District Judge